

MURPHY POLICE HEAD; DEVERY FIRST DEPUTY.

KENNEDY JURY DISAGREES.



MRS. SAMUEL J. KENNEDY.

RACE RIOT AGAIN FOLLOWS SHOOTING.

Wild Mob at 38th Street and Eighth Avenue Dispersed by Police Reserves.

Race troubles again broke out in the Tenderloin this afternoon. Shortly after 1 o'clock a white man and a negro, who were talking together at the corner of Eighth avenue and Thirty-eighth street, began to quarrel. There was a scuffle, and the negro drew a revolver and shot the white man, who cried out:

"I am about that negro shot me!"

In a moment a cry went up and a crowd gathered.

As if by instinct, the blacks and the whites in the crowd arrayed themselves against each other.

Reserves Called.

Realizing the situation and warned by

previous riots, a policeman at Thirty-ninth street and Eighth avenue summoned the reserves in the neighboring station-house.

When the bluecoats came up on a run between 300 and 400 persons were struggling in a mob in the street, and cries of "lynch him" were being raised.

Assaults Fled.

The police charged the crowd and scattered both whites and blacks right and left.

The negro who is said to have done the shooting escaped during the turmoil.

The feverish excitement was apparent among the crowds near the scene of the shooting the rest of the afternoon, and the reserves were kept patrolling Eighth avenue for several hours after the riot.

24 HOURS WITH BROKEN HEAD.

Florist Walks Around a Whole Day With Fractured Skull.

Jacob Young, twenty-six years old, of No. 172 Amsterdam avenue, has been walking around more than twenty-four hours with a fractured skull, if his story may be believed.

FIRE CONSUMED HER CLOTHING.

Mrs. Dora Winkelman Fatally Burned While Preparing Dinner.

While preparing dinner to-day in her home at No. 221 Hickmer street, Brooklyn, Mrs. Dora Winkelman was fatally burned.

Alleged Slayer of Dolly Reynolds, Who Confidently Expected Acquittal, Stunned by the Result—Jury, it Is Said, Stood 11 to 1 for Freeing the Accused.

The jury in the case of Dr. Samuel J. Kennedy, accused of the murder of Dolly Reynolds in the Grand Hotel, on Aug. 14, 1898, came into court at 2:41 o'clock this afternoon. They had no verdict. They could not agree. They were discharged by Justice Furman. They had been locked up just six minutes over twenty-three hours, having retired for deliberation at 2:35 o'clock yesterday afternoon.

It has been impossible to determine with an idea of exactness how the jury stood. It is believed, however, that the last vote taken stood 11 to 1 for the acquittal. The foreman of the jury, James Kluber, is believed to have been the man who held out for conviction.

His answer to Justice Furman might indicate this.

The jurymen notified Justice Furman at 2:39 o'clock that they desired to be brought into court. The Justice was waiting in his private chambers. The jurors, however, were not permitted to enter the waiting room in the court-room that the jury was about to come in.

There was some bustle and confusion, but the court had settled into a dead silence when the door at the back of the room opened and the twelve men began to file into the room.

Jurymen Exhausted.

The jurymen looked pale and weak. They seemed to have aged years in the twenty-three hours that they had been confined. Some of them were old men and they seemed to have reached the point of exhaustion.

They dropped into chairs where for three weeks they had listened to evidence with seeming relief.

Justice Furman was only a few minutes behind them. He was in a grave manner and his face was set and pale.

"Gentlemen, have you agreed upon a verdict?" he asked.

"We have not," answered Foreman Kluber, loudly and positively.

Mr. Kluber's Position.

"Is there a prospect of your reaching an agreement?" queried the Justice.

"Your Honor, I can only speak for myself," returned the foreman.

"If there is a prospect of your reaching an agreement," repeated Justice Furman pointedly.

"Your Honor, I cannot answer from my position," replied Mr. Kluber.

Kennedy, who had come into court close upon Justice Furman's heels, sat gazing at the foreman as one fascinated.

At the reports conveyed to him from the jury-room were true, here was the one man who stood between him and liberty. Here was the man who was keeping him from the arms of his devoted wife.

Discharging the Jury.

There was silence for a few minutes after Foreman Kluber announced his position. Then Justice Furman said slowly and evenly:

"I regret that you have not reached an agreement, and I shall not keep you locked up longer since that determination seems to be positive. I understand that two of your number have been out."

"Under the circumstances I will discharge you, but first I must caution you not to disclose anything that has taken place in the jury-room. The newspapers have from time to time been issuing bulletins of the doings in the jury room, but I surmise it is mostly guesswork."

"If I found that any officer disclosed the proceedings in the jury-room, I should at once discharge him from further duty in this court. Anything you say would have a possible effect on another trial. Your situation has not been pleasant, but you have done your duty."

To Be Tried Again.

Mr. McIntyre here interrupted and said: "Your Honor, I ask that the jury return to me the exhibits they have used in their deliberations. I state also

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MURPHY REASSIGNS ALL DEPUTY POLICE CHIEFS.

Commissioner Murphy's pronouncement to the police force was, in substance, as follows:

"I have been appointed Commissioner of Police by the Mayor, and I have named named William S. Devery as Deputy Commissioner. The orders issued by me shall be obeyed, and the orders from the First Deputy Commissioner shall be obeyed as coming from me."

Col. Murphy then reassigned all the Deputy Chiefs to their old commands. Cortright resuming charge of Manhattan and Richmond Boroughs; W. W. McLaughlin, Bronx; P. H. McLaughlin, Brooklyn; and Elias P. Clayton, Queens.

By Commissioner Sexton, Devery's counsel, Register Fromme and many politicians, including Mart Kneel, looked to Headquarters.

During the time Col. Murphy was being interviewed in the office of the late Chief of Police, Devery stood by his old desk in citizen's dress. Everybody congratulated him on his appointment as Deputy Commissioner, and he seemed the happiest man in the lot, because—he has \$3,000 pension in view; he has \$6,000 salary in view, if he wins his court suit, and he is sure of \$4,000 a year as Deputy Commissioner.

SUPPOSED NEW YORK CROOK ARRESTED.

Seymour, fifty-four years old, a supposed New York crook, was arrested by the Mount Vernon police to-day. He was caught coming out of the house of a wealthy resident. Seymour is believed to be the man who has been looting houses in the neighborhood of Mount Vernon and Pelham Manor recently.

100 LIVES LOST WITH PACIFIC MAIL LINER.

Steamer Rio de Janeiro Sunk and Officers and Crew Accused of Brutality.

SAN FRANCISCO, Feb. 22.—The steamer City of Rio de Janeiro, Capt. Ward, from the Orient and Honolulu, struck on a rock early to-day just outside the Golden Gate and sunk in twenty minutes.

Of the 170 passengers on board it is estimated that 100 were drowned, and as many of the crew of 140 have not been accounted for the loss of life may reach 150.

Consul Wildman, of Hong-Kong, his wife and two children, who were on board, have not been accounted for, and it is thought they are among the lost.

Some of the passengers say the officers and crew were panic-stricken and acted on the plan of every man for himself. It is charged that they fought to get into the boats, crowding out women passengers. This is denied by others who were on board.

The steamer had been lying off the Heads all night, an unusually heavy fog preventing her from entering the harbor. At 5 o'clock this morning she weighed anchor and headed for the city in charge of Pilot Frank Jordan.

Shortly afterward the vessel struck a hidden rock and Pilot Jordan shouted for all on board to take to the boats.

Rush for Life.

Wild confusion prevailed, the passengers and crew alike scrambling to the boats, and in their endeavor to escape from the rapidly sinking vessel many jumped overboard.

Capt. Ward ordered several of the

boats alongside, and the women of the cabin and some of the male passengers were placed in them. The boats were manned by part of the crew, and headed (ward).

So far as known only three of the ship's boats left the vessel. On board the Rio were twenty-nine cabin passengers, 19 in the steerage and 10 in the crew.

Four and other small boats quickly put out from this city for the scene of the disaster, and landed those rescued at various points.

It is reported that Capt. Ward, of the steamer, locked himself in his stateroom and went down with the vessel.

Some of Those Saved.

Following is a list of known saved:

Mrs. K. West, Mrs. Kelly, Miss Lehman, J. K. Carpenter, an Oakland (Cal.) capitalist; Capt. Hechts, of the German Navy; William Caspar, of Toledo, O.; R. H. Long, of Honolulu; Freight Clerk Englehart, Chief Engineer Hurley, of the Rio; Second Officer Coghlan, Carpenter F. K. Trapp, Watchman J. Russell, Storkkeeper Boggs, D. Lane, Water Tender; Quartermaster R. Matheson, R. S. Leary, Fred Lumsted, Phil Musensblatt of Honolulu.

Nineteen of a party of twenty-seven Chinamen on board are known to have been saved.

The steamer Sequoia brought in twenty persons not included in the above list.

Captain Drowned.

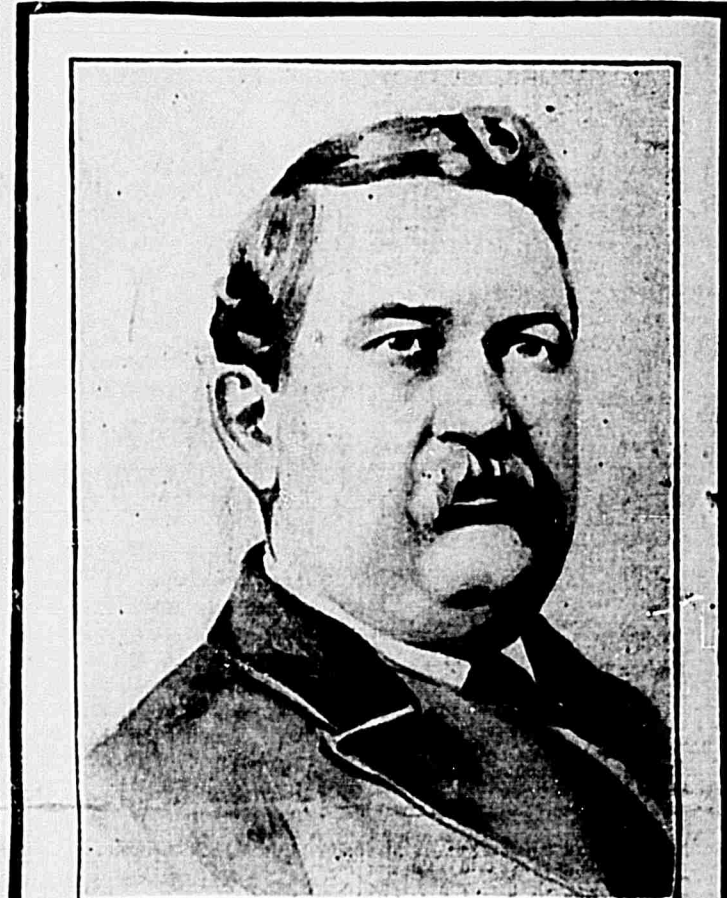
Pilot Frank Jordan was picked up by one of the boats. He was severely injured and was taken to the hospital.

Deputy Chief P. H. McLaughlin Made Second Deputy Commissioner by Col. Murphy—John B. Sexton Is Sworn In as President of the Board of Health.

Capt. Westervelt Is at Once Transferred from Church Street to Charles Street as a Mark of Displeasure for Allowing Levien's Pool-Room to Run—Devery Files a Protest Against Removal.

Mayor Van Wyck this afternoon appointed Michael C. Murphy, of the Tammany Committee of Five, Police Commissioner under the new law signed by Gov. Odell.

John B. Sexton, who surrendered his claim to the Commissioner'ship in the face of public clamor against his appointment was given the Presi-



MICHAEL C. MURPHY.



JOHN B. SEXTON.

dency of the Board of Health, made vacant by Murphy's appointment to the Police Commissioner'ship.

Col. Murphy, as soon as he had settled himself in his new chair, made ex-Chief Devery First Deputy Commissioner of Police and he will appoint Deputy Chief P. H. McLaughlin Second Deputy Commissioner.

It was all done stealthily in the Mayor's office.

The City Hall was deserted. No one knew the Mayor was downtown.

At 3:15 two men tipped into the City Hall.

They went straight to the locked doors at the public entrance to the Mayor's office and were admitted immediately by an unseen hand.

Fifteen minutes later the two men left the building by the basement door toward Broadway.

Sexton was made President of the Health Department.

Police Commissioner Murphy got off the Broadway car at Houston street and went straight to Police Headquarters. There he met Assistant Corporation Counsel Ladd, the Mayor's special adviser, and under Ladd's direction, took possession of the biggest and most important department in the municipal government.

After a consultation in Chief Devery's office, at which Mr. Devery, Commissioner Sexton, Col. Murphy and Deputy Chief Cortright were present, orders were sent out to the police force that Col. Murphy had been appointed Police Commissioner.

Westervelt Transferred.

Col. Murphy's first official act was to transfer Police Captain Josiah Westervelt from the Church street station to the Charles street station. He then sent Capt. Halpin, of the latter precinct, to Church street.

This is evidently Col. Murphy's early disapproval of Capt. Westervelt's failure to raid the gambling den at 30 Day street.

Col. Michael C. Murphy is a war veteran and a veteran in New York politics.

For eleven years he has been afflicted with a medical condition which obliges him to take all nourishment by means of a silver tube into his stomach. He had not tasted food since December, 1890, and in place of the robust man of 225 pounds of other days, he is now an invalid of little more than one hundred pounds.

Yet no one who knows his indomitable courage and his phenomenal capacity for work will doubt his ability to handle the business of the Police Department.

Murphy is a widower, and when a reporter once sought his opinion on divorcees he answered jocularly:

"I was divorced a great many years ago, and I could give you only one side of the question."

Sexton's Rise.

John B. Sexton, the new President of the Board of Health, is about forty years old. He was a schoolboy with Hugh J. Grant, and when Alderman Grant was elected Sheriff in 1881 Sexton became his Under Sheriff. He remained in this office under Sheriff Gorman, and Mayor Van Wyck appointed him a Commissioner of Police in 1888.

Sexton has been identified with the Devery faction in the Police Department, and it was his influence that brought about Capt. Herby's acquittal on Rev. Dr. Padock's charges.

Devery's Protest.

Immediately on receiving his appointment Devery filed a formal protest against his removal as Chief of Police, alleging that he still possessed that rank, and it was in the uniformed force.

This means that Devery will fight, and that he is supported by Tammany Hall, including Commissioner Murphy.

PROTEST MADE BY DEVERY.

This is Devery's protest, as handed to the Commissioner.

NEW YORK, Feb. 22, 1901.

Hon. Michael C. Murphy, Commissioner and Chief:

Sir—I hereby protest against being removed from my position as Chief of Police.

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